

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : CRIMINAL NO. 10-70 (KSH)
v. :
DWAYNE HAYES : ORDER

THIS MATTER having come before the Court on the application of the defendant Dwayne Hayes for an Order to release the records of Xzavier Dwayne Hayes from the New Jersey Department of Youth and Family Services (“DYFS”);

IT IS on this 4th day of March, 2011, ORDERED that DYFS records pertaining to Xzavier Dwayne Hayes shall be disclosed **only** to the United States Probation Office. IT IS further ORDERED:

1. that the United States Probation Office shall utilize the records to complete the pre-sentence report;
2. that the United States Probation Office shall **not** reproduce or disclose any portions of this record to any person or agency absent an order from this Court;
3. that the United States Probation Office is allowed to tab and/or highlight the records to note the portions it reviewed and/or used in preparing the pre-sentence report in case any future motion is filed challenging any aspect of Mr. Hayes’ social history that is included in the pre-sentence report;

4. that if the United States Probation Office uses any contents of the DYFS records in the pre-sentence report, it shall indicate in the pre-sentence report any information taken from the DYFS records;
5. that the United States Probation Office shall return the DYFS records to the Court upon completion of the pre-sentence report;
6. that DYFS, the Assistant U.S. Attorney, or Mr. Hayes has five calendar days to objections to this order.

/s/Katharine S. Hayden
KATHARINE S. HAYDEN
United States District Court Judge